

**REMARKS**

Claims 8 and 9 are pending in the present application. Claims 8 and 9 have been amended. Claims 1-7 have been canceled.

**Priority Under 35 U.S.C. 119**

A certified copy of Japanese Priority Application No. 2001-246268 has been filed concurrently herewith. The Examiner is respectfully requested to acknowledge receipt of the certified copy of Japanese Priority Application No. 2001-246268, and to confirm that the Claim for Priority Under 35 U.S.C. 119 is complete.

**Claim Rejections-35 U.S.C. 112**

Claim 7 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Since claims 1-7 have been canceled, the Examiner is respectfully requested to withdraw this rejection.

It is Applicant's understanding that in view of the comments as provided on pages 3 and 4 of the current Final Office Action dated August 24, 2006, the rejection of claims 1 and 8 under 35 U.S.C. 112, second paragraph have been withdrawn.

**Claim Rejections-35 U.S.C. 103**

Claims 1-7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the Kumashiro reference (U.S. Patent No. 6,154,717) in view of the Lim et al.

reference (Journal of Modeling and Simulation of Microsystems).

**Allowable Subject Matter**

Applicant respectfully notes the Examiner's acknowledgment that claims 8 and 9 are objected to, but would be allowable if rewritten in independent form.

Although Applicant does not necessarily concede that the above noted rejection of claims 1-7 is proper, claims 8 and 9 have been respectively amended to be in independent form in view of the acknowledgement of allowable subject matter, merely to advance prosecution of this application. The Examiner is therefore respectfully requested to acknowledge that claims 8 and 9 are allowed.

**Conclusion**

Since claims 8 and 9 have been amended merely to be in independent form, and since rejected claims 1-7 have been canceled, the Examiner is respectfully requested to enter this Amendment. That is, claims 8 and 9 as currently in independent form have been previously examined. Thus, entry of this Amendment should not raise any new issues that would require further consideration and/or search.

The Examiner is also respectfully requested to reconsider and withdraw the corresponding rejections, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present

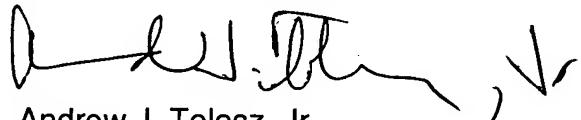
Serial No. 10/059,176  
OKI.298  
Amendment dated October 30, 2006

application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.



Andrew J. Telesz, Jr.  
Registration No. 33,581

One Freedom Square  
11951 Freedom Drive, Suite 1260  
Reston, Virginia 20190  
Telephone No.: (571) 283-0720  
Facsimile No.: (571) 283-0740